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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

CAMO TECHNOLOGIES, INC.,

Plaintiff,

v.

THOMAS PEREZ,  
Secretary of Labor, et al.,

Defendants.

Civil Action No. 12-6050-WJM

JOINT MOTION TO VACATE  
MEMORANDUM OPINION  
AND ORDER (ECF Nos. 24 and  
25)

Hon. William J. Martini

CAMO Technologies, Inc., Plaintiff, and Thomas E. Perez, Secretary, United States Department of Labor, et al., Defendants, stipulate and jointly request the Court vacate its Memorandum Opinion, ECF No. 24, and Order, ECF No. 25. The parties make this joint request pursuant to the terms of the settlement agreement executed on July 6, 2015.

Based on the consent of all parties to this motion, no notice of motion pursuant to L.Civ.R. 7.1 is being filed, since it does not need to be heard on a regular motion date. Moreover, pursuant to L.Civ.R. 7.1(d)(4), Defendants' counsel certifies that no brief is necessary since this motion is submitted jointly and upon consent of the parties.

In support of this request, the parties state the following:

1. On October 18, 2013, the Court issued a Memorandum Opinion and Order granting summary judgment in favor of Plaintiff and denying Defendants' summary judgment motion. *See* ECF Nos. 24, 25.
2. On December 6, 2013, Defendants filed a notice of appeal with the Third Circuit Court of Appeals (Case No. 13-4654). *See* ECF No. 26.
3. On July 6, 2015, during the Third Circuit mediation process, the parties executed a settlement agreement.

4. Under the terms of the executed agreement, the parties jointly requested dismissal of the appeal with prejudice under Federal Rule of Appellate Procedure 42(b).

5. On August 28, 2015, the Third Circuit dismissed the appeal with prejudice. *See* ECF No. 29.

6. Also under the terms of the executed agreement, within 30 days of the Third Circuit's dismissal of the appeal, the parties are required to jointly move this Court to vacate its previously-issued Memorandum Opinion, ECF No. 24, and Order, ECF No. 25.

Good cause, therefore, exists for the parties' joint request. Accordingly, under the terms of the executed settlement agreement, the parties stipulate and jointly request the Court vacate its Memorandum Opinion, ECF No. 24, and Order, ECF No. 25, previously issued in this matter.

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DATED: September 25, 2015

Attorney for Plaintiff

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Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on September 25, 2015, I electronically filed the foregoing JOINT MOTION TO VACATE MEMORANDUM OPINION AND ORDER (ECF Nos. 24 and 25) with the Clerk of Court by using the CM/ECF system, which will provide electronic notice and an electronic link to this document to the following attorney of record:

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DATED: September 25, 2015

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